

THE COTTLE FIRM

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

CHUNYUN WANG, an individual

Plaintiff,

vs.

KOREAN AIRLINES CO., LTD., operating as
KOREAN AIR; DOE FLIGHT
ATTENDANTS; DOE FOOD AND
BEVERAGE SERVICE HANDLERS; ROE
FOOD AND BEVERAGE SERVICE
BUSINESS ENTITY; ROE WATER
OR LIQUID HEATING APPARATUS
MANUFACTURER AND/OR
DISTRIBUTOR BUSINESS ENTITIES; DOE
INDIVIDUALS 1-10; AND ROE
CORPORATIONS/ENTITIES 1-10; inclusive

Defendants.

CASE NO.: 2:20-cv-00409-JAD-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(FIRST REQUEST)**

There is good cause for this stipulation in accordance with LR II 26-3. At this early stage of discovery, the parties understand there are certain complexities that will require additional time to address. Specifically, retaining experts to conduct a Rule 34 Site Inspection as well as coordinating dates of availability to inspect the aircraft where the incident occurred. Plaintiff needs

1 additional time to take the depositions of employee witnesses as well as a Rule 30(b)(6) deposition
2 after said Site Inspection has been conducted.

3 IT IS HEREBY STIPULATED by and between MATTHEW G. HOLLAND, ESQ. of THE
4 COTTLE FIRM, as counsel for Plaintiff, CHUNYUN WANG, PHILIP R. WEISSMAN, ESQ., of
5 the law firm CLYDE & CO US LLP, and Dawn L. Davis, Esq., as counsel for Defendant,
6 KOREAN AIRLINES, CO, LTD., that certain discovery deadlines be extended by 90 days, as set
7 forth below, to allow the parties to complete discovery prior to trial.

8
9 **STATEMENT SPECIFYING THE DISCOVERY THAT HAS BEEN COMPLETED.**

- 10 1. The parties participated in the Fed. R. Civ. P. 26(f) conference;
- 11 2. Both parties have made their disclosures pursuant to Fed. R. Civ. P. 26.1(a)(1);
- 12 3. Defendant served Interrogatories, Request for Production of Documents, and
13 Request for Admissions to Plaintiff;
- 14 4. Plaintiff served Interrogatories, Request for Production of Documents, and
15 Request for Admissions to Defendant;
- 16 5. Plaintiff served responses to Defendant's Interrogatories, Request for Production,
17 and Request for Admissions;
- 18 6. Defendant took Plaintiff's Deposition on September 24, 2021.
- 19 7. Plaintiff Served Notice of Taking Deposition of Unknown Flight Attendant on
20 October 26, 2021.
- 21 8. Defendant has requested that Plaintiff appear for an IME in Nevada.

22 **A. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO**
23 **BE COMPLETED.**

- 24 1. Plaintiff will take the deposition of the Rule 30(b)(6) witness(es) for Korean
25 Airlines;
- 26 2. Plaintiff will take the deposition of Unknown Flight Attendant for Korean Airlines;
- 27 3. Retain and designate expert witnesses;
- 28 4. Depositions of expert witnesses;

5. Plaintiff will conduct a Rule 34 Site Inspection of the aircraft.

6. Plaintiff is to appear for an IME in Nevada.

**B. REASONS WHY THE DISCOVERY REMAINING WAS NOT
COMPLETED WITHIN THE DEADLINES CONTAINED IN THE
DISCOVERY SCHEDULING ORDER**

Discovery closes on March 4, 2022. However, initial expert disclosures are due on November 4, 2021, and Plaintiff needs additional time to retain a medical expert.

**C. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING
DISCOVERY**

As a result of the above, it is requested that the discovery deadlines in this case be continued 90 days from their present deadlines.

1. **Discovery Cut-Off Date:** The parties jointly propose that the discovery cut-off date be extended 90 days from its present deadline of March 4, 2022, to June 2, 2022.

2. **Amending the Pleadings and Adding Parties:** The parties jointly propose that the Amended the Pleadings and Adding Parties date be extended 90 days from its present deadline of December 3, 2021, to March 3, 2022.

3. **Fed. R. Civ. P. 2(a)(2) Disclosures (Experts):** The parties jointly propose that the initial expert disclosure deadline be extended 90 days from its present deadline of November 4, 2021, to February 2, 2022; the rebuttal expert disclosure be extended 91 days from its present deadline of December 6, 2021, to March 7, 2022.

4. **Dispositive Motions:** In the event that the discovery period is extended from the discovery cut-off date set forth in the proposed Discovery Plan and Scheduling Order, the date for filing dispositive motions shall be extended 90 days from its present deadline of April 1, 2022, to June 30, 2022.

5. **Pretrial Order:** The date for filing the joint pretrial, which is currently set for May 3, 2022, be extended to August 1, 2022. In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after decision on the dispositive motions or until further order of the court. In the further event that the discovery period is extended

from the discovery cut-off date set forth in the Discovery Plan and Scheduling Order, the date for filing the joint pretrial order shall be extended in accordance with the time periods set forth in this paragraph.

6. **Fed. R. Civ. P. 26(a)(3) Disclosures:** The disclosures required by Fed.R.Civ.P. 26(a)(3), and any objections thereto, shall be included in the joint pretrial order.

7. **Alternative Dispute Resolution:** Counsel for the parties certify that they met and conferred about the possibility of using alternative dispute resolution including mediation, arbitration, and/or an early neutral evaluation. The parties have not scheduled any such ADR forum at this point but agree to reconsider following the disclosure of expert witness reports and after the close of discovery.

8. **Alternative Forms of Case Disposition:** The parties certify that they discussed consenting to trial by a magistrate judge or engaging in the Short Trial Program under Fed. R. Civ. P. 73 and at present do not consent to either alternative form of case disposition.

9. **Electronic Evidence:** The parties certify that they have discussed and intend to use electronic evidence at the trial of this matter and will ensure that said evidence is in an electronic format compatible with the Court's electronic jury evidence display system. At present, the parties have not agreed upon any stipulations regarding the use of electronic evidence but will address this issue again in the Pre-Trial Order.

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3 10. **Extensions or Modifications of the Discovery Plan and Scheduling Order:** Any
4 stipulation or motion must be made no later than 21 days before the subject deadline. Requests to
5 extend discovery deadlines must comply fully with LR 26-3.

6 DATED this 3rd day of November 2021.

DATED this 4th day of November 2021.

7
8 **THE COTTLE FIRM**

CLYDE & CO US LLP

9 /s/ Matthew G. Holland
10 ROBERT W. COTTLE, ESQ.
11 Nevada Bar No. 4576
12 MATTHEW G. HOLLAND, ESQ.
13 Nevada Bar No. 10370
14 8635 South Eastern Avenue
15 Las Vegas, Nevada 89123
16 *Attorneys for Plaintiff*

/s/ Phillip R. Weissman
PHILIP R. WEISSMAN
405 Lexington Avenue 16th Floor
New York, New York 10174
Attorney for Defendant
Korean Airlines, LTD

17 DATED this 4th day of November 2021.

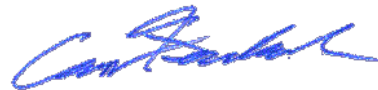
18 **SNELL & WILMER**

19 /s/ Dawn Davis
20 Dawn L. Davis, Esq.
21 Nevada Bar No.
22 3883 Howard Hughes Parkway #1100
23 Las Vegas, NV 89169
24 *Attorney for Defendant*
25 *Korean Airlines, LTD*

26 **ORDER**

27 IT IS SO ORDERED:

28 DATED this 9th day of November, 2021.



UNITED STATES MAGISTRATE JUDGE

From: Davis, Dawn ddavis@swlaw.com
Subject: RE: Wang vs. Korean Airlines
Date: November 4, 2021 at 6:04 PM
To: Nathalie Cabrera ncabrera@cottlefir.com, Weissman, Philip Philip.Weissman@clydeco.us
Cc: Harakas, Andrew J. Andrew.Harakas@clydeco.us

Yes, please go ahead.

Dawn L. Davis | Snell & Wilmer LLP | P: (702) 784-5275 | F: (702) 784-5252

From: Nathalie Cabrera <ncabrera@cottlefir.com>
Sent: Thursday, November 4, 2021 6:02 PM
To: Weissman, Philip <Philip.Weissman@clydeco.us>
Cc: Davis, Dawn <ddavis@swlaw.com>; Harakas, Andrew J. <Andrew.Harakas@clydeco.us>
Subject: Re: Wang vs. Korean Airlines

[EXTERNAL] ncabrera@cottlefir.com

Thank you, we are okay with the changes. I am just pending Ms. Davis' approval her electronic signature.

—
Nathalie Cabrera, Paralegal to
Matthew G. Holland, Esq.
THE COTTLE FIRM
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Las Vegas, NV 89123
(702) 722-6111
ncabrera@cottlefir.com



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On Nov 4, 2021, at 4:41 PM, Weissman, Philip <Philip.Weissman@clydeco.us> wrote:

Dear Ms. Cabrera,

My apologies. I was in a settlement conference. Attached please find our proposed revisions. If they are ok with you, you have my permission to electronically sign my name and file.

Philip Weissman
Senior Associate | Clyde & Co US LLP
Direct Dial: +1 212 710 3921 | Mobile: +1 917 224 2913

<[image006.png](#)>

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From: Nathalie Cabrera <ncabrera@cottlefir.com>
Sent: Thursday, November 4, 2021 6:33 PM
To: Weissman, Philip <Philip.Weissman@clydeco.us>; Davis, Dawn <ddavis@swlaw.com>;
Harakas, Andrew J. <Andrew.Harakas@clydeco.us>
Subject: Re: Wang vs. Korean Airlines

Good afternoon,

I am just following up on the approval of the Stip and Order to Extend Discovery Deadlines that was sent out yesterday.

Nathalie Cabrera, Paralegal to
Matthew G. Holland, Esq.
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On Nov 3, 2021, at 1:49 PM, Nathalie Cabrera <ncabrera@cottlefir.com> wrote:

Good afternoon,

Attached is word format draft of the Stipulation and Order to Extend Discovery Deadlines (First Request), for your review and approval. Should additional changes need to be made, please let me know immediately. Our deadline for expert disclosures runs tomorrow and I would like to get this filed by the end of business day November 4, 2021.

Thank you all.

Nathalie Cabrera, Paralegal to
Matthew G. Holland, Esq.
THE COTTLE FIRM
8635 South Eastern Avenue
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(702) 722-6111
ncabrera@cottlefir.com

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<2021.11.03. SAO to Extend Discovery Deadlines (First Request).docx>

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<2021.11.03. SAO to Extend Discovery Deadlines (First Request).docx>

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